

2 AF



TRANSMITTAL LETTER FOR AMENDMENT

In re patent application of:

Inventor: **Jurgis Astrauskas**

Application No.: **10/628,226**

Filing Date: **July 28, 2003**

For: **Method And Apparatus For Using A
Close Proximity Probe For Optical
Communication With A Device
External To The Probe**

) MMB Docket No.: **1007-0562**

) Emerson Docket No.: **M-7369**

) Examiner: **Dzung D. Tran**

) Group Art Unit: **2613**

) Confirmation No.: **4748**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

February 15, 2007

Date of Deposit

David M. Lockman

Name of person mailing Document or Fee

Signature of person mailing Document or Fee

February 15, 2007

Date of Signature

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an Amendment in the above-identified patent application. The fee has been calculated as shown below.

CLAIMS AS AMENDED

| | Claims Remaining After Amendment | Highest No. Paid For | Fee Calculation | Additional Fee |
|-------------------------------|-------------------------------------|-------------------------|--------------------|-------------------|
| Total Claims | 18 | 18 | 0 x 50 | \$0.00 |
| Independent Claims | 3 | 3 | 0 X 200 | \$0.00 |
| Total Additional Fee Required | | | | \$0.00 |

Commissioner for Patents
February 15, 2007
Page 2 of 2

- * Please provide any extensions of time that may be necessary and charge any fees that may be due to Deposit Account No. 13-0014, but not to include any payment of issue fees.

Respectfully submitted,
MAGINOT, MOORE & BECK LLP



David M. Lockman
Attorney for Applicant
Registration No. 34,214

February 15, 2007
Maginot, Moore & Beck LLP
ChaseTower
111 Monument Circle, Suite 3250
Indianapolis, Indiana 46204-5109
(317) 638-2922 Telephone
(317) 638-2139 Facsimile



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:) MMB Docket No.: **1007-0652**
)
Inventor: **Jurgis Astrauskas**) Emerson Docket No.: **DAC-03-002**
)
Application No.: **10/628,226**) Examiner: **Dzung Tran**
)
Filed: **July 28, 2003**) Group Art Unit.: **2613**
)
For: **Method And Apparatus For Using A**) Confirmation No.: **4748**
Close Proximity Probe For Optical)
Communication With A Device)
External To The Probe)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 15, 2007

Date of Deposit

David M. Lockman

Name of person mailing Document or Fee

(Signature)
Signature of person mailing Document or Fee

February 15, 2007

Date of Signature

AMENDMENT UNDER RULE 116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of January 25, 2007, please note the remarks below regarding the erroneous rejection under 35 U.S.C. 112, first paragraph, which place the above-identified application in better condition on appeal:

A Complete Listing of the Claims begins on page 2 of this paper.

Remarks begin on page 6 of this paper.